Regd. No. M.—1175

401

The Mysore Gazette

Vol. 75.] PUBLISHED BY AUTHORITY. [No. 23

BANGALORE, THURSDAY, JUNE 6, 1940.

PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. 10017-25—*Ml.* 86-39-123, *dated Bangalore,* 31*st May* 1940.

In exercise of the powers vested in them by and under Sections 61 (1) (*g*), 63 and 106 (1) and (2) of the Mysore Minor Municipalities Act, 1933, the Government of His Highness the Maharaja of Mysore are pleased to issue the accompanying rules for regulating the registration of vehicles within the limits of the Minor Municipalities in the State :—

Rules for regulating the numbering and registering of bicycles, tricycles and other vehicles in Minor Municipalities.—

(1) Any person who is the owner of a bicycle or tricycle or other vehicle liable to taxation in the Municipality under the law in force shall register such bicycle or tricycle or other vehicle at the Municipal Office within 31 days of these rules coming into force or his newly

coming into possession of such bicycle or tricycle or other vehicle. When he continues to be in possession of such bicycle or tricycle or vehicle he shall also register it at the said office either for the half-year within 31 days from the 1st July or from 1st January or for a year within 31 days from the 1st July each year.

Explanation.—"Owner" in the rules includes the person in charge for the time being of such bicycle or tricycle or other vehicle.

(2) The above registration shall be made on payment of the yearly or half-yearly tax on such bicycle, tricycle or other vehicle in advance under the law in force, at the rates fixed by the Municipal Council from time to time.

(3) A disc bearing the register number shall be issued on payment of the cost of the disc for each bicycle or tricycle so registered. In the case of carts and carriages, the registered number will be painted in a place on the side of the vehicle conspicuously and the cost of painting them shall be paid by the owner, in addition to the registration fee.

(4) No bicycle, tricycle or other vehicle so registered shall be used without its number disc being conspicuously attached to it or painted thereon as the case may be.

(5) A person who commits a breach of rules 1 and 4 *supra* shall, on conviction before a Magistrate, be punishable with a fine which may extend to Rs. 50.

No. Rl. 2991—*L. C.* 16-39-1, *dated, Bangalore 1st June* 1940.

In exercise of the powers conferred by Section 6 of the Mysore Legislative Council Act, 1923, the Government of His Highness the Maharaja are pleased to make the following amendment in the Rules of Business of the Mysore Legislative Council, *viz.*:

For Rule 13 of the Rules of Business, the following Rule shall be substituted, *viz.*:

"13. Copies of the Budget shall be despatched to the members of the Council on the same day that they are delivered to the members of the Representative Assembly."

No. T. 3619—*R. T.* 3-39-31, *dated, Bangalore,*
3rd June 1940.

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to Rule 80 of the Rules regarding Public Service Motor Vehicles issued with Notification No. P. 3992—Legis. 46-35, dated 18th December 1935, as amended from time to time, the draft in the said behalf having been already published with Notification No. T. 2743—R. T. 3-39-21, dated 20th March 1940, at page 124, Part IV of the *Mysore Gazette*, dated 21st March 1940.

Amendment.

Add the following as Rule 80-B to the aforesaid Rule :—

"80-B. The First Aid box in every motor bus should be sent to the Government Industrial and Testing Laboratory once in every year by the bus owners for being overhauled and replenished at their own cost at such time as may be directed by the District Magistrate of the District. Whilst the boxes are sent for being overhauled, relief boxes would be lent to the bus owners by the District Magistrates out of the stock kept by them. These will have to be returned on return of their own boxes. The boxes should always be kept completely equipped and if at any time any of the contents are used up, they must be replaced immediately.

It should be one of the duties of the Bus Inspectors to see that the boxes are carried in every motor bus in such a manner that they can be easily opened in an emergency and that they always contain all the required articles."

No. T. 3704—*R. T.* 38-39-12, *dated 5th June* 1940.

In virtue of the powers vested in them under Sections 14 and 15 of the Mysore Road Traffic and Taxes Act No. VI of 1935, the Government of His Highness the Maharaja are pleased to direct that the Salapur Check Gate in Arsikere Taluk which was ordered to be located at the 7/114th mile on the Banavar-Honnavar Road under Notification No. T. 1057—R. T. 43-36-2, dated the 27th January 1937, be shifted to 4/114th mile on the same road with effect from 1st July 1940.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,
Law Department.

No. P. 7617, *dated the 4th June* 1940.

Under rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Sugar (Excise Duty) Act, 1934, is published for general information with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,

Secretary,
Mysore Legislative Council.

THE SUGAR (EXCISE DUTY) (AMENDMENT) BILL.

Whereas it is necessary to revise the excise duty on sugar;

It is hereby enacted as follows:—

1. (1) This Act may be called the Sugar (Excise Duty) (amendment) Act, 194.....

(2) It shall come into force at once.

(3) The Sugar (Excise Duty) (amendment) Act, 1940, (Emergency Act No. XV of 1940) is hereby repealed.

2. In clause (ii) of sub-section (2) of section 3 of the Sugar (Excise Duty) Act, 1934, for the words "two rupees," the words "three rupees" shall be substituted.

BILL FURTHER TO AMEND THE MYSORE SUGAR EXCISE DUTY ACT, 1934.

Statement of Objects and Reasons.

The excise duty on sugar (other than Khandsari and Palmyra sugar) both in British India and Mysore was Rs. 2 per cwt. The duty was raised to Rs. 3 in British India from 1st March 1940. As the duty in Mysore has to be kept at the same rate as in British India, an Emergency Act (XV of 1940) was promulgated on 1st March 1940, raising the duty from Rs. 2 to Rs. 3 per cwt.

As the Emergency Act expires on 1st September 1940, and as the enhanced duty will have to be in force after that date also, this Bill is designed to maintain the duty at the same level as in British India even after that date.

Order No. P. 7619, *dated Bangalore, the 4th June* 1940.

Under rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to provide for the imposition and the payment of duty on gold is published for general information with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,

Secretary,

Mysore Legislative Council.

THE MYSORE DUTY ON GOLD BILL.

(A bill to provide for the imposition and the payment of duty on gold.)

Whereas it is expedient to impose a duty on gold and to provide for the payment thereof;

It is hereby enacted as follows :—

1. (*1*) This Act may be called the Mysore Duty on Gold Act, 1940. **Short title and extent.**

(*2*) It extends to the whole of Mysore.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(*a*) "gold works" means any place where gold is extracted from ore;

(*b*) "owner of a gold works" includes his agents and persons in charge of the gold works; and

(*c*) "prescribed" means prescribed by rules made under this Act.

Imposition and payment of duty on gold.

3. (*1*) There shall be paid by the owner of every gold works on all gold which is produced therein and which is issued out of the premises of such works on and after the 22nd day of March 1940, a duty at the rate mentioned in sub-section (2) and at the prescribed place.

(*2*) The duty on every ounce of gold shall be three-fourths of the amount by which its sale price exceeds one hundred rupees.

Explanation.—For the purposes of this sub-section sale price shall mean the amount realised by sale less prescribed charges, if any.

(*3*) The duty shall be payable in the prescribed manner before the end of the month immediately succeeding that in which the gold is sold.

Recovery of an arrear of duty.

4. (*1*) If any duty remains unpaid at the end of the period specified in sub-section (*3*) of section 3, it shall be deemed to be an arrear and the authority to which such duty is payable may, in lieu thereof, recover any sum not exceeding double the amount of the duty unpaid which such authority may, in its discretion, think it reasonable to require.

(*2*) Any arrear of duty or any sum recoverable in lieu thereof under sub-section (*1*) shall be recoverable as an arrear of land revenue.

Issue of gold from gold works.

5. (*1*) No person shall issue any gold out of the premises of any gold works except in the prescribed manner and until rules in this behalf are made, except in accordance with the general or special orders of the Government.

(*2*) Whoever contravenes any such rule or order shall be punishable with fine which may extend to one thousand rupees or to a sum double the amount of the duty payable on any gold issued in contravention of such rule or order, whichever is greater.

6. (*1*) The Government may make rules for carrying out the purposes of this Act. Power to make rules.

(*2*) In particular and without prejudice to the generality of the powers conferred by sub-section (*1*), the rules may provide for all or any of the following matters, namely:—

(*a*) imposing on owners of gold works the duty of furnishing returns and keeping records and books, prescribing the form of such returns, records and books and the particulars to be contained therein and the manner in which the same are to be verified and all such other conditions thereof as may be necessary;

(*b*) providing for the regulation of the issue of gold out of the premises of gold works;

(*c*) providing for the manner in which, the place at which and the authority to which the duty shall be payable and for the recovery of arrears; and

(*d*) providing for the inspection of gold works.

(*3*) Such rules may provide that any breach thereof shall be punishable with fine which may extend to five hundred rupees:

Provided that the breach of any rule under clause (*b*) of sub-section (*2*) shall be punishable with the penalty prescribed in sub-section (*2*) of section 5.

7. The Mysore Duty on Gold (Emergency) Act, 1940 (Act No. XVII of 1940), is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Mysore Duty on Gold (Emergency) Act, 1940, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 29th day of February 1940.

Statement of Objects and Reasons.

The expansion of administrative activities and the introduction of measures calculated to improve the material and moral condition of the people entail a progressive increase of public expenditure and the question of finding additional revenue is receiving the consideration of Government. In view of the recent large

increase in the price of gold, it is considered desirable that a portion of the increased receipts should be made available to the State for expenditure on beneficent measures intended to meet urgent needs of the people. Accordingly an Emergency Act for the imposition and the payment of duty on gold, equal to three-fourths of the amount by which its sale price exceeds one hundred rupees per ounce of gold, in respect of gold produced and issued out of the premises of all gold works on and after the 22nd day of March 1940 was passed (Act XVII of 1940). The present high price of gold is likely to continue and it is proposed to place the Act permanently on the Statute Book.

No. P. 7620, *dated Bangalore, the 4th June* 1940.

Under rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Land Revenue Code, 1888, is published for general information with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,

Secretary,

Mysore Legislative Council.

BILL FURTHER TO AMEND THE MYSORE LAND REVENUE CODE.

Statement of Objects and Reasons.

Under section 97 of the Mysore Land Revenue Code, superior holders can apply to the Deputy Commissioner in writing for assistance by the use of precautionary and other measures for the recovery of rent or land revenue payable to them by inferior holders or by co-sharers in their holdings, provided that such application is made within two years from the end of the revenue year or within the year of tenancy in which the said rent or land revenue became

payable. The Committee, which was appointed for suggesting measures for improving the conditions of inamdars and tenants in inam and jodi villages, considered that better facilities should be afforded to the inamdars to collect rents due to them and, with this view, they recommended that the period of two years fixed in the proviso to section 97 of the Code should be raised to six years in cases in which the rent or land revenue is payable in cash, the existing provision remaining unaltered in cases of rent in kind. Government accepted this recommendation among others, in their Order No. 350-409—L. R. 110-33-14, dated 15th July 1935.

It is proposed to amend the first proviso to section 97 of the Code suitably to give effect to this recommendation.

Whereas it is expedient further to amend the Mysore Land Revenue Code, 1888;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Mysore Land Revenue (amendment) Act, 194 .

Substitution of proviso in section 97, Act IV of 1888.

2. For the first proviso to section 97 of the Mysore Land Revenue Code, 1888, the following proviso shall be substituted, namely :—

" Provided that such application be made within two yeass, and in the case of alienated or kayamgutta villages into which survey and settlement have been introduced, within six years, from the end of the revenue year or the year of tenancy in which the said rent or land revenue became payable."

Printed by the Superintendent at the Government Press, Bangalore.